



New Mexico



Legislature



Welcome to the New Mexico State Capitol!

We are excited about your interest in the New Mexico Legislature and our State Capitol! Please take this opportunity to tour the buildings and grounds, and if you are here during a legislative session, we encourage you to observe floor sessions or committee meetings.

Enjoy the architecture and art of the Capitol, which reflect New Mexico's unique culture. The vast art collection is managed by the Capitol Art Foundation and includes works displayed in the Capitol, the Capitol North and the walkway that connects the two. The walkway is accessible from the first floor of the Capitol, from the Capitol North and from Don Gaspar. The Capitol North is also accessible from Don Gaspar.

The Capitol, also known as the Roundhouse, and the Capitol North are home to the Office of the Governor, the Office of the Lieutenant Governor, the Secretary of State, the house of representatives and the senate. The 112 members of the New Mexico Legislature occupy the building during the annual legislative session and during the interim to attend committee meetings.

Understanding the legislative process is important, and for this reason we have prepared this booklet in an effort to make your visit more enjoyable.

Sincerely,



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Notes

Visiting the Legislature

The legislature welcomes visitors and guests to its legislative sessions. The Roundhouse is located at the corner of Old Santa Fe Trail and Paseo de Peralta. Free parking is available in the parking structure west of the Capitol, accessible from Galisteo Street, and in front of the Capitol, accessible from Paseo de Peralta.



During session, your legislators will want to know when you are visiting, so it is a good idea to call your legislators' offices in advance and let them know your plans. If you are with a group and want to ensure that you have seats in the house or senate gallery to observe legislative proceedings, contact the chief clerk of each house and specify the day and time of your arrival.

A few rules should be observed when visiting the legislature.

- ✦ Applause or loud talking is not allowed in the galleries or committee rooms.
- ✦ Food or drink is not allowed in the galleries or committee rooms.
- ✦ Visitors are not permitted on the floor of the chambers while the legislature is in session.
- ✦ Smoking is not allowed in the Capitol or Capitol North.

Information kiosks are located at the Capitol's east and west entrances, and building directories are located near the elevators on every level. An information desk is located in the east lobby. The knowledgeable staff will assist you with questions and direct you around the building. During legislative sessions, agenda boards are located outside of each committee room and contain notices of committee meetings. You may also



want to check the calendar on the legislature's web site (www.nmlegis.gov) for special days and events.

During legislative sessions, the billroom/mailroom, located on the first level by the east elevator, offers copies of legislation at a nominal price. The billroom also sells the Daily Bill Locator, a publication that tracks the status of every bill, memorial and resolution. Copies of the daily calendar, committee lists, names and addresses of legislators and other materials are also available here. In addition, this is where mail and messages for legislators are received and distributed. Of course, all of this information is also available online at www.nmlegis.gov.

For information on touring the Capitol, call (505) 986-4589.

Legislative Organization & Members

The organization of the New Mexico Legislature is similar to those in most states.

The 112 members of the legislature are divided into two chambers — the house of representatives, composed of 70 members, and the senate, composed of 42 members. Representatives must be 21 years old, and senators must be 25 years old. Legislators must be citizens of the United States and live in the districts from which they are elected. Legislators are elected from districts of approximately equal population. A large county, such as Bernalillo County, has many districts, and several counties with smaller populations may be represented by a single district.

Members of the house of representatives run for office every two years, while members of the senate are elected for four-year terms.



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Each chamber has leadership positions served by individual legislators. The most powerful leader in the house of representatives is the speaker of the house, who is elected by a vote of the house. The speaker appoints members to the house committees, including the chairs and vice chairs. The speaker is the presiding officer of the house and controls its procedural strategy and administration.

The other leaders of the house are party leaders and are selected by party caucuses. The party leaders are the majority floor leader, the majority whip, the minority floor leader and the minority whip. Their primary purpose is to see that the interests of their respective parties in the house are well-served.

In the senate, leadership and administrative control are exercised by the Senate Committees' Committee rather than by a single officer. This committee, which is composed of majority and minority leaders, duplicates some of the powers and functions of the speaker of the house. The committee is chaired by the president pro tempore of the senate, who is elected to that position by the senate. As provided in the Constitution of New Mexico, the lieutenant governor is the presiding officer of the senate and, when serving in that capacity, is called the president of the senate. The lieutenant governor is a member of the executive branch of government and can vote only in the case of a tie.

New Mexico legislators do not receive a salary for their public service. However, legislators do receive a per diem and mileage reimbursement. The Constitution of New Mexico sets the per diem for representatives and senators at the Internal Revenue Service per diem rate for the city of Santa Fe for each day



of a legislative session and each day of a legislative meeting between sessions.

The New Mexico Legislature convenes in Santa Fe at 12:00 noon on the third Tuesday in January of each year. The legislature holds 60-day sessions in odd-numbered years and 30-day sessions in even-numbered years.

The Legislature at Work

The governor may call the legislature into a special session. The only matters that may be considered in a special session are those contained in the governor's proclamation calling the session. The legislature may call itself into an extraordinary session. In May 2002, the legislature convened in an extraordinary session; this was the only time in New Mexico's history that the legislature had used this power.

Daily sessions of the house and senate begin with a roll call of members. Floor sessions are held nearly every day and last until the immediate business to be considered is finished. Committee meetings are generally scheduled before and after the floor sessions. The floor sessions held at the beginning of a legislative session are usually short, as legislation is being drafted and considered by committees; but toward the end of a session, floor sessions usually become longer, lasting into the late afternoon and evening.

Floor sessions and committee meetings are webcast from the legislature's web site: www.nmlegis.gov.

Year	Session	Opening Day	Closing Day
2014	51st, Second Session	January 21	February 20
2015	52nd, First Session	January 20	March 21
2016	52nd, Second Session	January 19	February 18



Can You Answer These Questions?

1. When was New Mexico's State Capitol built?
2. What are the two houses of the legislature called?
3. How many legislators serve in the senate? In the house?
4. How often does the legislature meet, and for how long?
5. Who are the leaders of the house and senate?
6. What are the functions of committees?
7. What are interim committees?
8. What are the various types of legislation?
9. What does the governor do when he or she disapproves of a bill?



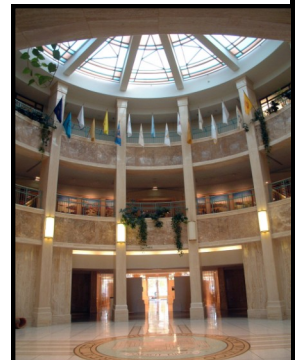
Some of the activity during floor sessions is necessary daily administrative routine, and at these times, legislators may be away from their desks. Some may be presenting and testifying on their own bills before house and senate committees. Others may be involved in conferences with other members or meeting with constituents who are visiting the Capitol.

The chief clerk, the assistant chief clerk, the journal clerk, the reading clerk, the secretaries and the bill historian sit at long desks just below the podium where the speaker and the president sit in their respective houses. The chief clerks, who are elected by the members of the respective houses, are responsible for keeping a daily record of all matters coming before the legislature and for all legislative documents. The chief clerks are also in charge of administrative matters; that is, they interview prospective employees and supervise staff work, purchase supplies, assign space and generally take care of the many details connected with a legislative session.

When the legislature is in session, news reporters are allocated space in rooms overlooking the chambers.

The large boards on the walls on each side of the house chamber are part of an electronic roll call system. Members vote electronically from their desks, and the vote is displayed on the wall boards within seconds.

Many people visit the legislature at work. Some come merely to observe the proceedings, while others have an interest in particular legislation. Representatives of organized groups, called lobbyists, are there for the purpose of looking after the interests of their particular group. They keep track of pending legislation and attempt to influence the attitudes and



opinions of legislators. In New Mexico, lobbyists must be registered with the secretary of state.

Standing Committees

Standing committees, which meet during sessions to consider legislation, play an important role in ensuring that proposed legislation is given a fair hearing.

Committee membership is largely determined by the preferences of individual legislators. Care is taken to place members on committees in which their previous experience and training can be used. For example, members of the judiciary committees may be lawyers, and members of the education committees may be teachers. In the house of representatives, the speaker appoints the committee members and the committee chairs; and in the senate, appointments are made by the Senate Committees' Committee. Senators serve on two substantive committees, except that members serving on the Senate Finance Committee do not serve on any other substantive committee. Representatives serve on no more than two substantive standing committees.

For a complete list of committees and their memberships, go to the legislature's web site at www.nmlegis.gov.

Each piece of legislation is generally referred to two or three committees. In the house of representatives, legislation is referred to committees by the speaker; in the senate, by the bill's sponsor, subject to the approval of the senate. After a piece of legislation has been referred to a committee, it is scheduled for consideration by the committee chair. Committee hearings are open to the public, and interested parties may testify in favor of or in opposition to a proposal. Upon completion of discussion and testimony, the committee makes

Communicating with Your Legislator

Writing letters or emailing can be very effective means of making legislators aware of your opinions on legislation. Write to legislators prior to or during the time the matter is being considered, and do not hesitate to write to the chair of a committee that is considering legislation in which you are interested.

During sessions, your legislators will be extremely busy. Consider making an appointment in order to make your visit more successful. State your points as clearly and as briefly as possible and give specific examples to support your opinion. Be willing to listen to the views of others who may disagree with you.

The Legislature's Web Site

The New Mexico Legislature's web site (www.nmlegis.gov) offers a wide range of information. You may view a legislator's contact information and find legislation, calendars, agendas, links to webcasts of floor sessions and committee meetings and other information about important issues facing the state.



Territorial style and resembling the Zia sun symbol (which appears on the state flag), the building consists of four levels. The first level contains the house and senate chambers, legislative leadership offices, the billroom/mailroom, lounges and underground parking.

The second level is the area visitors see when they enter the building. The great rotunda soars to the glass-enclosed dome above, and its floor is inlaid with the Great Seal of the State of New Mexico. Visitors can peruse the exhibits in the Hall of History or watch the legislature at work from the house or senate gallery. A visitors' information service is located near the east entrance to provide assistance, tours and building information. The second level also contains legislative office space, offices for the Legislative Building Services staff, offices for the news media and a coffee shop that is open during legislative sessions.

The third level contains house and senate committee rooms and legislative office space. From the third-level balcony overlooking the rotunda floor, visitors can see the walls of New Mexico marble quarried 20 miles west of the Rio Grande in central New Mexico.

The fourth level houses the governor's suite, the lieutenant governor's offices, the staff of the LCS and legislative office space.

The adjacent Capitol North was completed in 2000 and is connected to the main capitol by a walkway, shown here. The Secretary of State, Administrative Office of the Courts, LESC, LFC and additional house legislative office space are located here.



its decision on the legislation and reports its recommendation to the full house or senate. Members of the legislature rely heavily on a committee's judgment when they consider the adoption of a committee's report.

Interim Committees

Legislators also serve on interim committees, which meet between legislative sessions to consider and study a variety of issues. Interim committees consist of both house and senate members and are staffed by the Legislative Council Service, except for the Legislative Education Study Committee and the Legislative Finance Committee, which have their own staffs.

Interim committees, which often meet throughout New Mexico, generally meet from June through November. More information about interim committee meetings can be found on the legislature's web site: www.nmlegis.gov.

Types of Legislation

Members consider a variety of matters during a legislative session that are drafted into three types of legislation:

A **bill** is the form of legislation used to propose laws. A bill may originate in either house, but in order to become law, it must be passed by both houses and signed by the governor. By custom, a general appropriations act, which appropriates the money to fund



state government, originates in the house, but there is no requirement that it do so.

A **resolution** is a formal declaration of the legislature concerning some subject that it either cannot or does not wish to control by law. Resolutions are joint, concurrent or simple, and they require no action on the part of the governor. A joint resolution can propose an amendment to the Constitution of New Mexico and if passed, voted on by New Mexico voters. Joint resolutions are also used to express the will of the legislature, such as approving the sale, trade or lease of state-owned real property. Concurrent resolutions are used for the purpose of adopting or amending joint rules of the legislature. Simple resolutions are seldom used.

A **memorial** is an expression of legislative desire that is usually addressed to another governmental body in the form of a petition or declaration of intent. For example, a memorial may ask the Department of Transportation to build a road in a certain part of the state or a legislative interim committee to study a particular issue. Joint memorials are passed by both houses; simple memorials are an expression of only one house.

Legislative Process

1. **Introduction.** Only legislators may introduce legislation. After legislation has been drafted and prepared for introduction, it is presented to the chief clerk, who assigns it a number. The reading clerk reads it twice by number and title along with the name of the principal sponsor. Legislation is typically assigned to the appropriate standing committees for further study. With some exceptions, bills must be introduced by the halfway mark of each session, whereas resolutions and memorials can be introduced until the end of session.



Legislative Finance Committee

The Legislative Finance Committee (LFC) was established in 1957 as a fiscal and management oversight arm of the New Mexico Legislature. Since its inception, the role of the committee and its staff in the state budget process has grown as the complexity and size of the budget has increased. The committee makes budgetary recommendations to the legislature for the funding of state government, higher education and public schools. The committee also prepares legislation addressing financial and management issues of state government.

The LFC in 1991 assumed responsibility for the performance audit program, previously a part of the Office of the State Auditor. The Program Evaluation Unit, as it is now known, reviews the costs, efficiency and effectiveness of activities of state agencies and political subdivisions and recommends changes to the legislature.

New Mexico is unusual in that both the governor and an agency of the legislature (the LFC) propose comprehensive state budgets to the full legislature.

The economists from the LFC and executive agencies also collaborate on the consensus revenue estimates presented to the legislature and the governor.

The Roundhouse

New Mexico has the oldest as well as one of the newest state capitols in the United States. The oldest is the Palace of the Governors in Santa Fe, built in 1610.

The newest is the current Capitol, otherwise referred to as the Roundhouse, which was dedicated in December 1966 and underwent extensive remodeling in 1991. Built in traditional



Mexico Legislature, and its staff are authorized by statute to conduct a continuing study of public education and laws governing education in New Mexico as well as the policies and costs of the New Mexico educational system. The committee is also responsible for recommending changes in laws relating to education and reporting its findings and recommendations.

The LESC is composed of legislators appointed proportionally from both houses and political parties. Assisted by a permanent staff, the committee meets regularly during the interim to study kindergarten through twelfth grade education issues. To fulfill its statutory responsibilities, the LESC provides legislators with objective information pertaining to New Mexico public schools as well as state and national education trends.

LESC staff members provide support for all of the committee's functions, conduct research, prepare reports and present findings and recommendations to the committee at its regularly scheduled meetings. Staff members also assist individual legislators in assembling and presenting information about education and analyzing potential education legislation.

Finally, the LESC serves as a resource to New Mexico residents, state and national organizations, education policymakers, local school districts and education agencies.

The major responsibilities of the LESC staff during legislative sessions are to assist the education committees of the house and senate as well as other committees by providing analyses of public school-related legislation and by supplying technical support in the development of public school support appropriations. Staff members prepare statistical and graphical analyses of both financial and program aspects of the New Mexico educational system.



2. **Committee Action.** Most consideration of legislation in New Mexico is done in committees. It is here that the public has the opportunity to testify in favor of or in opposition to the legislation. After considering the testimony, the committee can take one of several actions. It may:

a) recommend to the legislative body that a piece of legislation DO PASS, DO PASS AS AMENDED or DO NOT PASS, or refer the bill back to the floor WITHOUT RECOMMENDATION;

b) substitute a new and similar piece of legislation for the original piece, incorporating changes the committee wishes to make;

c) recommend referral of the legislation to another committee; or

d) simply do nothing and let the bill die by not reporting it out of committee.

Committee reports are subject to adoption by the full house or senate.

3. **Final Passage.** When legislation is called for its third reading, members may debate its pros and cons on the chamber floor. Amendments may be added at this stage, or the legislation may be substituted by another piece similar to it. The sponsor of the bill is allowed to close debate by speaking last. A final vote is taken and recorded.

4. **Sent to the Other House.** If the legislation receives a favorable vote, it is sent to the other house, where it follows much the same procedure.

5. **Concurrence.** Legislation that is amended in the second house must be sent back to the first house for agreement. This is called concurrence. If concurrence is denied, the second house votes on whether to recede, or withdraw, from its amendment. If the second house fails to recede, the bill is usually sent to a conference committee to work out a version agreeable to both houses. The report of the

conference committee must be agreed to by both houses in order for the legislation to pass.

6. **Enrolling and Engrossing**. When both houses of the legislature have agreed on the final version of a piece of legislation, it is enrolled and engrossed, with all of its amendments incorporated. The presiding officers of both houses sign the legislation, and the bills are sent to the governor for consideration.
7. **Governor's Approval or Veto**. If the governor receives a bill with more than three days left in the session, the governor can sign the bill or veto the bill. However, if the governor takes no action within those three days, the bill automatically becomes law. If the governor receives a bill during the last three days of the session, the governor has 20 days to sign or veto the legislation. If no action is taken on legislation received during the last three days, the legislation is vetoed in what is known as a "pocket veto".
8. **Laws**. Not all laws go into effect at the same time. Some bills carry emergency clauses and become effective as soon as the governor signs them, some become law 90 days after the legislature adjourns and others take effect at the start of the next fiscal year or calendar year or at some other date specified in the legislation.

The Legislative Council Service

The Legislative Council Service (LCS) was established by law in 1951 to provide year-round staff services for legislators. Bill drafters, researchers, librarians, proofreaders, word processors, print service operators, financial assistants and other employees provide a multitude of services for members of the legislature.



The LCS prepares the legislation that is introduced in the legislature. This drafting service is provided to every legislator, to interim and standing committees and to state agencies and public institutions. In addition, at the request of a legislator, the LCS will assist in the preparation of legislation for private groups and citizens.

The LCS maintains a legislative reference library covering almost any subject on which a legislator might need information. The LCS also does general administrative chores for the legislature and its committees, particularly during the interim when the legislature is not in session. It maintains the legislative buildings and grounds through the Legislative Building Services staff, maintains the equipment and furniture belonging to the legislature, forwards mail, answers correspondence upon requests from legislators, provides staff and accounting services for interim committees, schedules meetings, provides information technology services and provides printing services. The LCS is also in charge of the joint billroom/mailroom services provided during the legislative session.

A 16-member permanent legislative interim committee, the New Mexico Legislative Council, serves as the board of directors for the LCS. Its statutory members are the speaker of the house, the minority floor leader of the house, the president pro tempore, the minority floor leader of the senate and six representatives and six senators chosen proportionally from both political parties. The New Mexico Legislative Council appoints members to most interim committees.

Legislative Education Study Committee

The Legislative Education Study Committee (LESC), which was created by law in 1971 as a permanent committee of the New

